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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/628,884	07/28/2003	Marc J. Shlaes	23688/04164 3865		
24024 759	90 06/26/2006		EXAMINER		
	LTER & GRISWOLD, L	ALI, MOHAMMAD			
800 SUPERIOR SUITE 1400	RAVENUE	ART UNIT PAPER NUMB			
CLEVELAND, OH 44114			2166		
			DATE MAILED: 06/26/2006	DATE MAILED: 06/26/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application	No.	Applicant(s)				
Office Action Summary		10/628,884		SHLAES ET AL.				
		Examiner		Art Unit				
		Mohammad A	Ali	2166				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SHORTENED STATI WHICHEVER IS LONG - Extensions of time may be ave after SIX (6) MONTHS from th - If NO period for reply is specification Failure to reply within the set of	JTORY PERIOD FOR REPLER, FROM THE MAILING Desirable under the provisions of 37 CFR 1. The mailing date of this communication. The maximum statutory period of the extended period for reply will, by statutive later than three months after the mailing to the second secon	DATE OF THIS .136(a). In no event, I will apply and will exte, cause the applicat	COMMUNICATION however, may a reply be time pire SIX (6) MONTHS from to become ABANDONED	l. ely filed the mailing date of this o ) (35 U.S.C. § 133).				
Status								
2a)☐ This action is FIN 3)☐ Since this applica	mmunication(s) filed on <u>28 J</u> IAL. 2b) Thi Intion is in condition for allowa	is action is non ance except for	r formal matters, pro		e merits is			
Disposition of Claims								
4a) Of the above 5) ☐ Claim(s) is 6) ☐ Claim(s) is 7) ☐ Claim(s) is 8) ☒ Claim(s) 1-23 are	s/are rejected.	awn from consi						
Application Papers								
10) The drawing(s) file Applicant may not a Replacement draw	is objected to by the Examined on is/are: a) accepted any objection to the ing sheet(s) including the correct ration is objected to by the Examin	cepted or b) e drawing(s) be to ction is required	neld in abeyance. See if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 C	• •			
Priority under 35 U.S.C. §	119							
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>								
3) Information Disclosure Stat	tent Drawing Review (PTO-948) ement(s) (PTO-1449 or PTO/SB/08	4) 3) 5)	Interview Summary Paper No(s)/Mail Da Notice of Informal Pa	ite	O-152)			
Paper No(s)/Mail Date 6)								

## **DETAILED ACTION**

This communication is in response to the application filed on 7/28/03
 Claims 1-23 are pending in this Office Action.

## Election/Restrictions

- 2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-19 are drawn to using the data access mechanism of the single data source to facilitate access to the single data source, classified in class 707, subclass 9.
  - II. Claims 20-23 are drawn to populating the columns of the result set with data retrieved from the query, classified in class 707, subclass 102.

The inventions are distinct, each from the other because of the following reasons: Inventions in Groups I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention in Group I has separate utility such as using the data access mechanism of the single data source to facilitate access to the single data source. See MPEP § 806.05(d). Invention in Group II has separate utility and requires populating the columns of the result set with data retrieved from the query.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purpose as indicated is proper.

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Applicants are advised that the reply to this requirement to be complete must include and election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors in no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Response time for this office action is one month (30 days).

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## **Contact Information**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mohammad Ali Primary Examiner Art Unit 2166

MA June 18, 2006